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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/060,313 04/15/98 LINEBARGER M TN-104

STEVEN R PETERSEN
UNISYS CORPORATION
M S C1SW19
P O BOX 500
BLUE BELL PA 19424

LM02/1020

EXAMINER

ARMSTRONG, A

ART UNIT

PAPER NUMBER

2741

DATE MAILED:

10/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/060,313

Applicant

LINEBARGER

Examiner
Angela A. Armstrong

Group Art Unit
2741



☒ Responsive to communication(s) filed on 15 Apr 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: on page 6, line 27, the word "correctness" is misspelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Wen (U.S. Patent Number 5,562,453)**.

Regarding claim 1, "displaying a picture", (see column 4, lines 6-7 where Wen discloses that the system prompt displays a picture of the item selected category);

"generating a speech prompt", (see column 4, lines 5-6 where Wen discloses that the system provides the user with a "first vocal prompt");

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“inputting a speech response”, (see column 3, lines 10-11 where Wen discloses that the input to the system is via microphone);

“performing speech recognition” and “performing natural language analysis”, (see Figure 2b where Wen discloses the “PATTERN COMPARATOR” component (10). Further see column 5, lines 24-29 and lines 41-44).

However, Wen does not specifically disclose a method of conducting speech therapy. Wen discloses operational examples for using the system which teaches how one would implement the system in a speech training environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Wen and apply the operational examples as taught by Wen to develop a computerized method for conducting speech therapy. Wen teaches that such a use of her system would be a tremendous advantage for a user when a person is not available to assist in training.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Russell et al. (U.S. Patent No. 5,791,904) discloses a speech training aid which displays a word, prompts the user to speak the word, receives the word, processes the word and indicates whether the user spoke the correct word.

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Shpiro et al. (U.S. Patent No. 5,487,671) discloses a computerized system for teaching speech which presents a word to a user, prompts the user for a response, evaluates the response and provides feedback of the users performance.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is (703) 308-6258. The examiner can normally be reached on Monday - Thursday from 07:00 am - 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth, can be reached at (703) 308-4825.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

-or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703)305-3900.

Angela A. Armstrong

October 13, 1999


Richmond Dorvil
Primary Examiner